

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**KURTIS L. UREY,**

**Plaintiff,**

**v.**

**SGT. CULVER, et al,**

**Defendant.**

**Case No. 1:22-CV-08**

**MEMORANDUM ORDER**

This action was received by the Clerk of Court on January 5, 2022. The matter was assigned and referred to Chief United States Magistrate Judge Richard A. Lanzillo, for report and recommendation in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

In his complaint, Plaintiff alleges that Defendants violated his Eighth Amendment rights. Following a period of discovery, Defendants filed a motion for summary judgment. ECF No. 78.

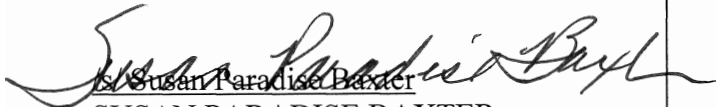
On August 5, 2024, Chief Magistrate Judge Lanzillo issued a Report and Recommendation recommending that the motion for summary judgment be denied. ECF No. 90. Despite being afforded the opportunity to do so, the parties have not filed objections to the Report and Recommendation.

Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the magistrate judge's findings or recommendations. 28 U.S.C. § 636(b)(1); Local Rule 72(D)(2). After *de novo* review of the complaint and all filings in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 18th day of September 2024;

IT IS ORDERED that the motion for summary judgment [ECF No. 78] is denied.

AND, IT IS FURTHER ORDERED that the report and recommendation of Chief Magistrate Judge Lanzillo, issued on August 5, 2024 [ECF No. 90] is adopted as the opinion of the court.

  
SUSAN PARADISE BAXTER  
United States District Judge